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SEDERAL COMMUNICATIONS COMMISSION OFFICE OF SECRETARY

MELODIE A. VIRTUE

July 2, 1996

OUR FILE NO. 1410-101-63

Mr. William F. Caton, Acting Secretary Federal Communications Commission 1919 M Street, NW Washington, DC 20554

DOCKET FILE COPY ORIGINAL

RE: MM Docket No. 96-95

RM-8787

Papillion and Plattsmouth, NE and

Osceola, IA

Dear Mr. Caton:

Transmitted herewith, on behalf of LifeStyle Communications Corp., are an original and four copies of the **REPLY COMMENTS OF LIFESTYLE** in the above-referenced proceeding.

Should further information be necessary, please communicate directly with this office.

Very truly yours,

Melodie A. Virtue

Enclosures (5) MAV/blr

07-X

ORIGINAL

Before The

Federal Communications Commission

Washington, D.C. 20554

In The Matter Of

Amendment of Section 73.202(b)

Table of Allotments,
FM Broadcast Stations.
(Papillion and Plattsmouth, Nebraska, and Osceola, Iowa)

To: Chief, Allocations Branch

MM Docket No. 96-95

RM-8787

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FDERAL COMMUNICATIONS COMMISSION

Reply Comments of LifeStyle

LifeStyle Communications Corp. ("LifeStyle"), licensee of KJJC(FM), Osceola, Iowa, by counsel and pursuant to Section 1.420 of the Commission's Rules, hereby respectfully submits its reply comments in the above-captioned rule making proceeding.

In response to the Commission's *Notice of Proposed Rule Making and Order to Show Cause*, DA 96-554, released April 25, 1996 (hereinafter "NPRM"), two documents have been filed: (1) the June 12, 1996 "Formal Comments of Platte Broadcasting Company, Inc.," filed by the Petitioner, and (2) the June 17, 1996 "Counterproposal and Opposition to Notice of Proposed Rule Making and Order to Show Cause" (hereinafter "Counterproposal") filed by LifeStyle. No other comments or counterproposals have been submitted to the FCC as far as counsel for LifeStyle can determine.

For the reasons stated in LifeStyle's Counterproposal, its proposal to provide first local service on Channel 295A at Papillion, Nebraska, must be preferred to Petitioner's proposal to upgrade its existing Channel 295A at

Plattsmouth, Nebraska. LifeStyle's Counterproposal simply serves higher public interest priorities and would better satisfy the tenets of Section 307(b) of the Communications Act of 1934, as amended, which require the FCC to distribute frequencies and power of radio stations so "as to provide a fair, efficient, and equitable distribution of radio service" among communities. 47 U.S.C. § 307(b). Petitioner has set forth nothing in its comments that outweigh the public interest benefits to be gained by adopting Life-Style's Counterproposal.

LifeStyle reiterates its intention to apply for Channel 295A at Papillion, Nebraska, if allotted, and, if it obtains the construction permit, to build the station promptly and to reimburse KOTD-FM for its reasonable expenses in changing from Channel 295A to Channel 299A at Plattsmouth, Nebraska.

WHEREFORE, the premises considered, LifeStyle Communications Corp. respectfully requests that the Commission reject the proposal set forth in the NPRM and in Petitioner's Comments, and that it accept Life-Style's Counterproposal to substitute Channel 299A for Channel 295A at Plattsmouth, Nebraska, and to allot Channel 295A at Papillion, Nebraska.

Respectfully submitted,

LIFESTYLE COMMUNICATIONS CORP.

HALEY BADER & POTTS P.L.C. Suite 900 4350 North Fairfax Drive Arlington, VA 22203-1633 703/841-0606

July 2, 1996

John M. Pelkey Melodie A. Virtue Its Attorneys

CERTIFICATE OF SERVICE

I, Barbara L. Rascon, a secretary in the law offices of Haley Bader & Potts P.L.C., hereby certify that I have on this 2nd day of July 1996, sent copies of the foregoing "**REPLY COMMENTS OF LIFESTYLE**" by first-class, United States mail, postage prepaid, to the following:

Richard J. Hayes, Jr., Esq. 13809 Black Meadow Road Greenwood Plantation Spotsylvania, VA 22553 (Counsel to Petitioner)

Barbara L. Rascon